

HOUSE BILL 1200

By Pinion

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4; Title 55, Chapter 10; Title 55, Chapter 50 and Title 68, relative to alcohol and drug safety DUI schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (c)(1) and substituting instead the following:

(1) Participation in a department of safety approved alcohol and drug safety DUI school, and/or drug offender school program, if available; and a drug and alcohol assessment, treatment or both an assessment and treatment, if the court deems it appropriate and the service is available; the cost of the service shall be paid as provided in subdivision (c)(4); or

SECTION 2. Tennessee Code Annotated, Section 55-10-403, is amended by adding the following new subdivision to subsection (c):

(6)

(A) By September 1, 2007, the department of safety shall establish, by rule and regulation, guidelines, standards and requirements with which any alcohol and drug safety DUI school that a person is required to attend as a condition of probation for a violation of this section must comply.

(B) No person shall be sentenced to attend an alcohol and drug safety DUI school that was established on or after September 1, 2007, that does not comply with department guidelines and that has not been approved by the department of safety.

(C) All alcohol and drug safety DUI schools that were in existence prior to September 1, 2007, shall have until January 1, 2008, to comply with the

department's guidelines and seek and obtain department approval for such school.

(D) After January 1, 2008, no person shall be sentenced to attend an alcohol and drug safety DUI school pursuant to this section if such school does not comply with department guidelines for such schools and has not been approved by the department of safety.

SECTION 3. Tennessee Code Annotated, Section 39-17-418, is amended by deleting the second sentence of subsection (f)(2) and substituting instead the following:

The amount of fee shall be established by the local governmental authority operating the school, but the fee shall not exceed the fee charged for attending a department of safety approved alcohol safety DUI school program if such a program is available in the jurisdiction.

SECTION 4. For purposes of the department promulgating rules and regulations governing DUI schools and commencing the DUI school approval process when such rules and regulations are promulgated, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on September 1, 2007, the public welfare requiring it.